IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.9563 OF 2004

Kamlakant Vasudeo Sawal, .. Petitioner

Vs

1. Manilal Fulabhai Barot & Anr .. Respondents

Ms. Anita Patil i/b Mr S.J.Ghogare, for the petitioner.

Mr B.R.Zaveri, for the respondents.

CORAM : D.B.BHOSALE,J.

DATE : 8th December, 2004.

PC:

1. Heard the learned counsel for the petitioner.

2. Ms. Patil, learned counsel for the petitioner, submits that she has instructions not to press this petition and the petitioner be given liberty to raise an issue of pecuniary jurisdiction in substantive appeal, if the suit is ultimately decreed against him. Mr Zaveri, learned counsel for the respondents, has no objection for granting such liberty to the petitioner. The writ petition is disposed of as not pressed with the liberty as prayed for.

(D.B.BHOSALE, J.)